

2005 Senate Bill 405

Date of enactment: **April 5, 2006**
Date of publication*: **April 19, 2006**

2005 WISCONSIN ACT 270

AN ACT *to create* 450.02 (3m) of the statutes; **relating to:** powers of the Pharmacy Examining Board during times of emergency or disaster.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 450.02 (3m) of the statutes is created to read:

450.02 (3m) (a) The board or its designee may grant a variance to a requirement of this chapter or to a rule promulgated by the board if all of the following are true:

1. The board or its designee determines that a natural or man-made disaster or emergency exists or has occurred.

2. A pharmacist has requested the variance.

3. The board or its designee determines that the vari-

ance is necessary to protect the public health, safety, or welfare.

(am) If a member of the board disagrees with a decision made by a designee under par. (a), the board chairperson shall call a meeting of the board as soon as practicable to review the decision. The board may affirm or modify the designee's decision.

(b) A variance granted under par. (a) shall be for a stated term not to exceed 90 days, except that the board or its designee may extend the variance upon request by a pharmacist if it determines that an extension is necessary to protect the public health, safety, or welfare.

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].